

taining the colored oleomargarine, or colored margarine, in type or lettering at least as large as any other type or lettering on such labels since the labels did not bear the word "oleomargarine" or "margarine"; and, Section 407 (b) (3) (B), in that a full and accurate statement of all of the ingredients contained in the colored oleomargarine, or colored margarine, did not appear on the labels of the cartons containing the colored oleomargarine, or colored margarine, since such labels bore no statement of the ingredients contained in the colored oleomargarine, or colored margarine.

**DISPOSITION:** May 15, 1953. The defendant having entered a plea of guilty, the court fined him \$500 and sentenced him to 1 year in jail. The jail sentence was suspended, and the defendant was placed on probation for 1 year.

**20544. Sale of colored oleomargarine. U. S. v. Herman Lerich. Plea of guilty.** Fine of \$1,000 and sentence of 1 year in jail; payment of fine and serving of jail sentence suspended and defendant placed on probation for 5 years. (F. D. C. No. 33737. Sample No. 38025-L.)

**INFORMATION FILED:** January 12, 1953, Eastern District of New York, against Herman Lerich, Brooklyn, N. Y.

**ALLEGED SHIPMENT:** On or about February 28, 1952, at Brooklyn, N. Y., the defendant sold and offered for sale a number of cartons containing colored oleomargarine which was not properly identified as such.

**NATURE OF CHARGE:** Colored oleomargarine was sold in violation of Section 407 (b) (3) (A), in that the word "oleomargarine" or "margarine" did not appear on the labels of the cartons containing the colored oleomargarine in type or lettering as large as any other type or lettering on such labels since the labels did not bear the words "oleomargarine" or "margarine"; and, Section 407 (b) (3) (B), in that a full and accurate statement of all of the ingredients contained in the product did not appear on the labels of the cartons since the labels bore no statement of the ingredients contained in the product.

**DISPOSITION:** July 6, 1953. The defendant having entered a plea of guilty, the court fined him \$1,000 and sentenced him to 1 year in jail. The payment of the fine and the serving of the jail sentence were suspended, and the court placed the defendant on probation for 5 years.

## POULTRY

**20545. Adulteration of dressed poultry. U. S. v. Morris Singer. Plea of guilty;** fine, \$500. (F. D. C. No. 34826. Sample Nos. 44228-L, 49545-L.)

**INFORMATION FILED:** May 20, 1953, District of Maine, against Morris Singer, president of Maine Poultry Co., Inc., Bangor, Maine.

**ALLEGED SHIPMENT:** On or about July 25 and November 19, 1952, from the State of Maine into the States of Massachusetts and New York.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of birds contaminated with fecal matter; and Section 402 (a) (5), the article was in part the product of a diseased animal, namely, diseased poultry, and it was in part the product of an animal that had died otherwise than by slaughter.

**DISPOSITION:** June 17, 1953. The defendant having entered a plea of guilty, the court fined him \$500.